

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

Designation of Record on Appeal

Sixth Circuit

Case Number: 11-5905

Case Name: Winnett, et al. v. Caterpillar, Inc.

Michael M. Mulder, counsel for plaintiffs-appellants
designates the following documents for inclusion in the electronic Record on Appeal:

Lower Court Case No: 06-cv-00235

Middle District of Tennessee

CERTIFICATE OF SERVICE

I certify that on August 4, 2011 the foregoing document was served on all parties or their counsel of record through the CM/ECF system if they are registered users or, if they are not, by placing a true and correct copy in the United States mail, postage prepaid, to their address of record.

s/ Michael M. Mulder

Meites, Mulder & Glink

321 S. Plymouth Ct., Suite 1250, Chicago, IL 60604

RE #	Description of Pleading, Transcript, Complaint or Indictment or Other Filing. It is not necessary to list the Presentence Investigation Report or Sealed Documents, which counsel provides, pursuant to 6 th Cir. R. 10 and 30.
61	Complaint or Indictment
N/A	Report and Recommendation of Magistrate (if applicable)
494	Memorandum Opinion (from which appeal taken)
537	Judgment (from which appeal taken)
538	Notice of Appeal
495	ORDER: For the reasons expressed in the accompanying Memorandum, the defendant's Motion to Reconsider in Winnett 475 is GRANTED, and the plaintiffs' claims in that case are now all DISMISSED and the injunction issued on 10/16/2008 is hereby DISSOLVED. The defendant's Motion to Reconsider in Kerns (Docket No. 266) is DENIED, and the court's liability findings in that case are unchanged. A telephone conference will be held with counsel on 1/31/2011 at 2:30 CST to discuss how to proceed as to the remaining issues in these cases. Signed by District Judge Aleta A. Trauger on 1/12/11. (dt) (Entered: 01/12/2011)
134	ANSWER to Amended Complaint by Caterpillar, Inc..(Torres, Joseph) (Entered: 06/15/2007)
151	MOTION for Leave to File Amended and Supplemental Complaint by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum. (Attachments: # 1 Exhibit Attachment A - Amended Complaint# 2 Exhibit Attachment B - Declaration of Michael Mulder# 3 Exhibit Attachment C - 6.21.07 Letter to Derek Barella# 4 Exhibit Attachment D - Declaration of Karen Sheley# 5 Exhibit Attachment E - 7.3.07 Letter to Derek Barella# 6 Exhibit Attachment F - 7.31.07 Letter to Derek Barella# 7 Exhibit Attachment G - Declaration of Janice Simpkins# 8 Exhibit Attachment H - Declaration of Linda Herron# 9 Exhibit Attachment I - Declaration of Carol Ewing)(Mulder, Michael) Modified Text on 9/17/2007 (dt). (Entered: 09/14/2007)
152	MEMORANDUM in Support of 151 MOTION for Leave to To amend and supplement the complaint filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum. (Mulder, Michael) (Entered: 09/14/2007)
153	RESPONSE in Opposition to 151 MOTION for Leave to To amend and supplement the complaint filed by Caterpillar, Inc.. (Torres, Joseph) Modified Text on 10/1/2007 (dt). (Entered: 09/28/2007)
154	MOTION for Leave to File a Reply Memorandum With Respect to Their Motion for Leave to File Amended Complaint by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum. (Attachments: # 1 Exhibit Attachment A - Reply Memo in Support of Motion for Leave to File Amended Complaint)(Mulder, Michael) (Entered: 10/03/2007)
155	ORDER granting 154 Motion for Leave to Reply Memorandum with respect to their Motion for Leave to File Amended Complaint. Signed by Judge Aleta A. Trauger on 10/4/07. (dt) (Entered: 10/04/2007)

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RE #	Description of Pleading, Transcript, Complaint or Indictment or Other Filing. It is not necessary to list the Presentence Investigation Report or Sealed Documents, which counsel provides, pursuant to 6th Cir. R. 10 and 30.
156	REPLY to Response to 151 MOTION for Leave to To amend and supplement the complaint filed by Plaintiffs.(dt) (Entered: 10/04/2007)
188	MEMORANDUM. Signed by Judge Aleta A. Trauger on 12/3/07. (km) (Entered: 12/04/2007)
189	ORDER: For the reasons expressed in the accompanying Memorandum, the pltf's motion for leave to file an amended and supplemental complaint 151 is granted. Signed by Judge Aleta A. Trauger on 12/3/07. (km) (Entered: 12/04/2007)
190	AMENDMENT to Complaint 1 by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum. (Attachments: # 1 Attachment C- 6.21.07 Letter to Derek Barella# 2 Attachment E- 7.3.07 Letter to Derek Barella# 3 Attachment F- 7.31.07 Letter to Derek Barella)(km) (Entered: 12/04/2007)
191	DECLARATION of Michael M. Mulder filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum (Attachment B re: 190 Amended Complaint). (km) (Entered: 12/04/2007)
192	DECLARATION of Karen A. Sheley filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum (Attachment D re: 190 Amended Complaint). (km) (Entered: 12/04/2007)
193	DECLARATION of Janice H. Simpkins filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum (Attachment G re: 190 Amended Complaint). (Attachments: # 1 Exhibits)(km) (Entered: 12/04/2007)
194	DECLARATION of Linda K. Herron filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum (Attachment H re: 190 Amended Complaint). (Attachments: # 1 Exhibits)(km) (Entered: 12/04/2007)
195	DECLARATION of Carol Ewing filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum (Attachment I re: 190 Amended Complaint). (km) (Entered: 12/04/2007)
199	ANSWER to Complaint (SECOND AMENDED COMPLAINT) by Caterpillar, Inc..(Torres, Joseph) (Entered: 12/17/2007)
200	First MOTION for Preliminary Injunction by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum. (Mulder, Michael) (Entered: 12/21/2007)
201	MEMORANDUM in Support of 200 First MOTION for Preliminary Injunction filed by Casper R. Harris, Gary T. Winnett, Freda Jackson-Chittum Plaintiffs' Memorandum In Support of Motion For A Preliminary Injunction for the CLS Subclass. (Mulder, Michael) (Entered: 12/21/2007)
202	DECLARATION of Karen A. Sheley In Support of Plaintiffs' Motion For A Preliminary Injunction for the CLS Subclass filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum re: 200 First MOTION for Preliminary Injunction. (Attachments: # 1 Exhibit 1 - CLSA# 2 Exhibit 2 - 1979 GIP# 3 Exhibit 3 - 1988 GIP# 4 Exhibit 4 - Stevens Affidavit# 5 Exhibit 5 - Dailey Deposition Excerpts# 6 Exhibit 6 - March 1992 Letter# 7 Exhibit 7 - May 1993 Letter# 8 Exhibit 8 pt. 1 of 5, 2004 SPD# 9 Exhibit 8 pt. 2 of 5, 2004 SPD# 10 Exhibit 8 pt. 3 of 5, 2004 SPD# 11 Exhibit 8 pt. 4 of 5, 2004 SPD# 12 Exhibit 8 pt. 5 of 5, 2004 SPD# 13 Exhibit 9 - Inskeep Deposition Excerpts# 14 Exhibit 10 pt. 1 of 2, SPD 3108# 15 Exhibit 10 pt. 2 of 2, SPD 3108# 16 Exhibit 11 - pt. 1 of 2, SPD 3107# 17 Exhibit 11 - pt. 2 of 2, SPD 3107# 18 Exhibit 12 - Stevens Deposition Excerpts# 19 Exhibit 13 pt. 1 of 3, Declarations of subclass members# 20 Exhibit 13 - pt. 2 of 3, Declarations of subclass members# 21 Exhibit 13 - pt. 3 of 3, Declarations of subclass members)(Mulder, Michael) (Entered: 12/21/2007)
203	DECLARATION of Christopher Romer filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum re: 200 First MOTION for Preliminary Injunction. (Mulder, Michael) (Entered: 12/21/2007)
204	ORDER: Deft shall respond to the pltfs' Motion for Preliminary Injunction 200 by 1/4/08. Signed by Judge Aleta A. Trauger on 12/27/07. (km) (Entered: 12/27/2007)
205	MOTION for Hearing re 200 First MOTION for Preliminary Injunction FOLLOWING EXPEDITED DISCOVERY, INCLUDING OF ABSENT CLASS MEMBERS, AND TO ENTER AN APPROPRIATE SCHEDULING ORDER by Caterpillar, Inc.. (Torres, Joseph) (Entered: 12/31/2007)
206	MEMORANDUM in Support of 205 MOTION for Hearing re 200 First MOTION for Preliminary Injunction FOLLOWING EXPEDITED DISCOVERY, INCLUDING OF ABSENT CLASS MEMBERS, AND TO ENTER AN APPROPRIATE SCHEDULING ORDER filed by Caterpillar, Inc.. (Torres, Joseph) (Entered: 12/31/2007)

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RE #	Description of Pleading, Transcript, Complaint or Indictment or Other Filing. It is not necessary to list the Presentence Investigation Report or Sealed Documents, which counsel provides, pursuant to 6th Cir. R. 10 and 30.
207	DECLARATION of Derek G. Barella filed by Caterpillar, Inc. re: 205 MOTION for Hearing re 200 First MOTION for Preliminary Injunction FOLLOWING EXPEDITED DISCOVERY, INCLUDING OF ABSENT CLASS MEMBERS, AND TO ENTER AN APPROPRIATE SCHEDULING ORDER. (Attachments: # 1 Exhibit 1:a true and correct copy of documents produced to Plaintiffs in discovery# 2 Exhibit 2:a true and correct copy of documents produced to Plaintiffs in discovery# 3 Exhibit 3: a true and correct copy of documents produced to Plaintiffs in discovery# 4 Exhibit 4: a true and correct copy of documents produced to Plaintiffs in discovery# 5 Exhibit 5 Part 1: copies of unpublished decisions# 6 Exhibit 5 Part 2: copies of unpublished decisions)(Torres, Joseph) (Entered: 12/31/2007)
208	RESPONSE to Motion re 205 MOTION for Hearing re 200 First MOTION for Preliminary Injunction FOLLOWING EXPEDITED DISCOVERY, INCLUDING OF ABSENT CLASS MEMBERS, AND TO ENTER AN APPROPRIATE SCHEDULING ORDER Plaintiffs' Response to Defendant's Motion to Set Hearing on Preliminary Injunction Motion Following Expedited Discovery, Including of Absent Class Members, and To Enter An Appropriate Scheduling Order filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum. (Mulder, Michael) (Entered: 01/03/2008)
209	DECLARATION of Karen A. Sheley filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum re: 208 Response to Motion. (Attachments: # 1 Exhibit 1 - Plaintiff's First Document Request To Caterpillar, Inc.# 2 Exhibit 2, part 1 of 3, Caterpillar's Subpoena to the UAW# 3 Exhibit 2, part 2 of 3, Caterpillar's Subpoena to the UAW# 4 Exhibit 2, part 3 of 3, Caterpillar's Subpoena to the UAW)(Mulder, Michael) (Entered: 01/03/2008)
217	MOTION for Leave to FILE INSTANTER REPLY IN SUPPORT OF MOTION TO SET HEARING ON PRELIMINARY INJUNCTION MOTION FOLLOWING EXPEDITED DISCOVERY, INCLUDING OF ABSENT CLASS MEMBERS, and TO ENTER AN APPROPRIATE SCHEDULING ORDER by Caterpillar, Inc.. (Attachments: # 1 Exhibit REPLY (Torres, Joseph) Modified text on 1/7/2008 (km). (Entered: 01/04/2008)
218	ORDER granting 217 Motion for Leave to File Reply. Signed by Judge Aleta A. Trauger on 1/7/08. (dt) (Entered: 01/07/2008)
219	REPLY to Response to 205 MOTION for Hearing on 200 First MOTION for Preliminary Injunction FOLLOWING EXPEDITED DISCOVERY, INCLUDING OF ABSENT CLASS MEMBERS, AND TO ENTER AN APPROPRIATE SCHEDULING ORDER filed by Caterpillar, Inc. (dt) (Entered: 01/07/2008)
221	ORDER GRANTING Motion for Hearing 205 on Motion for Preliminary Injunction 200 following expedited discovery, including of absent class members, and to enter an appropriate scheduling order. Deft Caterpillar may engage in expedited discovery until 2/19/08. Caterpillar shall file its response to Motion for Preliminary Injunction by 2/29/08. Hearing on Motion for Preliminary Injunction is set for 3/7/2008 at 09:00 AM in Courtroom 873 before District Judge Aleta A. Trauger. Responses to Motion to Compel 210 or Motion for a Protective Order 213 shall be filed by 1/17/08. Signed by Judge Aleta A. Trauger on 1/10/08. (gi) (Entered: 01/10/2008)
233	MOTION for Leave to For Leave to File Corrected Declaration by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum. (Attachments: # 1 Exhibit Corrected Declaration of Albert D. Church)(Sheley, Karen) (Entered: 02/22/2008)
235	ORDER granting 233 Motion for Leave to file corrected declaration of Albert D. Church III. Signed by Judge Aleta A. Trauger on 2/25/08. (km) (Entered: 02/25/2008)
236	CORRECTED DECLARATION of Albert D. Church III filed by pltf's re: 200 First MOTION for Preliminary Injunction. (Attachments: # 1)(km) (Entered: 02/25/2008)
237	MOTION to Amend/Correct 202 Exhibit 12 to Declaration of Karen A. Sheley in Support of Plaintiffs' Motion for a Preliminary Injunction for the CLS Subclass by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum. (Attachments: # 1 Corrected Exhibit 12 to Sheley Declaration)(Sheley, Karen) Modified text on 2/28/2008 (km). (Entered: 02/27/2008)
238	ORDER: 237 Motion for leave to file corrected Exhibit 12 to Declaration of Karen A. Sheley in support of pltf's motion for a preliminary injunction for the cls subclass is granted. Signed by Judge Aleta A. Trauger on 2/28/08. (km) (Entered: 02/29/2008)

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240	RESPONSE in Opposition re 200 First MOTION for Preliminary Injunction filed by Caterpillar, Inc.. (Torres, Joseph) (Entered: 02/29/2008)
241	DECLARATION of ANITA MEEKER filed by Caterpillar, Inc. re: 240 Response in Opposition to Motion. (Attachments: # 1 Exhibit 1 March 1998 Summary of Benefit Changes# 2 Exhibit 2 1999 Summary Plan Description)(Torres, Joseph) (Entered: 02/29/2008)
242	DECLARATION of CAROLYN S. DECROIX filed by Caterpillar, Inc. re: 240 Response in Opposition to Motion. (Torres, Joseph) (Entered: 02/29/2008)
243	DECLARATION of CHRISTOPHER E. GLYNN filed by Caterpillar, Inc. re: 240 Response in Opposition to Motion. (Attachments: # 1 Exhibit 1 Unpublished Letter of Agreement# 2 Exhibit 2 Letter from Caterpillar to Surviving Spouses, dated April 17, 2006.)(Torres, Joseph) (Entered: 02/29/2008)
244	DECLARATION of GENE W. BROADBEAR filed by Caterpillar, Inc. re: 240 Response in Opposition to Motion. (Attachments: # 1 Exhibit A- 1988 CLS Agreement)(Torres, Joseph) (Entered: 02/29/2008)
245	DECLARATION of DEREK G. BARELLA filed by Caterpillar, Inc. re: 240 Response in Opposition to Motion. (Attachments: # 1 Exhibit 1 Deposition of Elliott A. Anderson, dated February 8, 2008 and selected exhibits# 2 Exhibit 2 Deposition of James Atwood, dated February 6, 2008# 3 Exhibit 3 Deposition of Marion Boren, dated February 14, 2008# 4 Exhibit 4 Deposition of David Chapman, dated February 13, 2008 and selected exhibits# 5 Exhibit 5 Deposition of Albert Church, January 31, 2008# 6 Exhibit 6 Deposition of William Dailey February 12, 2008# 7 Exhibit 7 Deposition of Judith Hunter February 13, 2008# 8 Exhibit 8 Deposition of Danny Miller February 13, 2008# 9 Exhibit 9 Deposition of Wayne Schmidt February 14, 2008# 10 Exhibit 10 Deposition of William Scott February 13, 2008# 11 Exhibit 11 Deposition of Walter Shawgo February 14, 2008# 12 Exhibit 12 Unpublished cases cited in Caterpillar's Memorandum in Opposition to Plaintiffs')(Torres, Joseph) (Entered: 02/29/2008)
246	DECLARATION of JERRY L. BRUST filed by Caterpillar, Inc. re: 240 Response in Opposition to Motion. (Attachments: # 1 Exhibit 1 CLS Agreement# 2 Exhibit 2 June 25, 1992 Caterpillar Inc. Interoffice Memorandum# 3 Exhibit 3 April 22, 1993 Letter from J. Brust to J. Atwood# 4 Exhibit 4 May 5, 1993 Letter from J. Atwood to J. Brust# 5 Exhibit 5 May 11, 1993 Letter from J. Brust to J. Atwood# 6 Exhibit 6 August 25, 1993 Letter from J. Brust to J. Atwood# 7 Exhibit August 27, 1993 Letter from J. Atwood to J. Brust # 8 Exhibit 8 September 1, 1993 Letter from J. Brust to J. Atwood# 9 Exhibit 9 April 6, 1998 Grievance# 10 Exhibit 10 April 20, 1998 Letter from J. Brust to J. Atwood# 11 Exhibit 11 May 4, 1998 Letter from J. Brust to J. Atwood# 12 Exhibit 12 May 6, 1998 Letter from J. Brust to J. Atwood)(Torres, Joseph) (Entered: 02/29/2008)
247	DECLARATION of DAVID W. STEVENS filed by Caterpillar, Inc. re: 240 Response in Opposition to Motion. (Attachments: # 1 Exhibit 1 Initial 1991 Caterpillar proposal regarding medical benefits and# 2 Exhibit 2 Selected communication from Caterpillar to employees/retirees re# 3 Exhibit 3 Selected communication from Caterpillar to employees/retirees re# 4 Exhibit 4 Selected communication from Caterpillar to employees/retirees re# 5 Exhibit 5 Selected communication from Caterpillar to employees/retirees re# 6 Exhibit 6 Selected communication from Caterpillar to employees/retirees re# 7 Exhibit 7 Selected communication from Caterpillar to employees/retirees re# 8 Exhibit 8 Selected communication from Caterpillar to employees/retirees re# 9 Exhibit 9 Selected communication from Caterpillar to employees/retirees re# 10 Exhibit 10 Selected communication from Caterpillar to employees/retirees re# 11 Exhibit 11 Selected communication from Caterpillar to employees/retirees re# 12 Exhibit 12 Selected communication from Caterpillar to employees/retirees re# 13 Exhibit 13 Selected communication from Caterpillar to employees/retirees re# 14 Exhibit 14 Selected communication from Caterpillar to employees/retirees re# 15 Exhibit 15 Selected communication from Caterpillar to employees/retirees re)(Torres, Joseph) (Entered: 02/29/2008)

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248	Additional Attachments to Main Document re: 247 Declaration,,,,,. (Attachments: # 1 Exhibit 16 Selected communication from Caterpillar to employees/retirees re# 2 Exhibit 17 Selected communication from Caterpillar to employees/retirees re# 3 Exhibit 18 Selected communication from Caterpillar to employees/retirees re# 4 Exhibit 19 Selected communication from Caterpillar to employees/retirees re# 5 Exhibit 20 Selected communication from Caterpillar to employees/retirees re# 6 Exhibit 21 Selected communication from Caterpillar to employees/retirees re# 7 Exhibit 22 Selected communication from Caterpillar to employees/retirees re# 8 Exhibit 23 Selected communication from UAW to employees/retirees re 1991-98# 9 Exhibit 24 Selected communication from UAW to employees/retirees re 1991-98# 10 Exhibit 25 Selected communication from UAW to employees/retirees re 1991-98# 11 Exhibit 26 Selected communication from UAW to employees/retirees re 1991-98# 12 Exhibit 27 Selected communication from UAW to employees/retirees re 1991-98# 13 Exhibit 28 Selected communication from UAW to employees/retirees re 1991-98# 14 Exhibit 29 Selected communication from UAW to employees/retirees re 1991-98# 15 Exhibit 30 Selected communication from UAW to employees/retirees re 1991-98)(Torres, Joseph) (Entered: 02/29/2008)
249	Additional Attachments to Main Document re: 247 Declaration. (Attachments: # 1 Exhibit 31 Selected communication from UAW to employees/retirees re 1991-98# 2 Exhibit 32 Selected communication from UAW to employees/retirees re 1991-98# 3 Exhibit 33 Selected communication from UAW to employees/retirees re 1991-98# 4 Exhibit 34 Selected communication from UAW to employees/retirees re 1991-98# 5 Exhibit 35 Selected communication from UAW to employees/retirees re 1991-98# 6 Exhibit 36 Selected communication from UAW to employees/retirees re 1991-98# 7 Exhibit 37 Selected communication from UAW to employees/retirees re 1991-98# 8 Exhibit 38 Selected communication from UAW to employees/retirees re 1991-98# 9 Exhibit 39 Selected communication from UAW to employees/retirees re 1991-98# 10 Exhibit 40 Selected communication from UAW to employees/retirees re 1991-98# 11 Exhibit 41 Selected communication from UAW to employees/retirees re 1991-98# 12 Exhibit 42 Selected communication from UAW to employees/retirees re 1991-98# 13 Exhibit 43 Selected news articles re 1991-98 bargaining and# 14 Exhibit 44 Selected news articles re 1991-98 bargaining and proposals# 15 Exhibit 45 Selected news articles re 1991-98 bargaining and proposals)(Torres, Joseph) (Entered: 02/29/2008)
250	Additional Attachments to Main Document re: 247 Declaration. (Attachments: # 1 Exhibit 46 Selected news articles re 1991-98 bargaining and proposals# 2 Exhibit 47 Selected news articles re 1991-98 bargaining and proposals# 3 Exhibit 48 Selected news articles re 1991-98 bargaining and proposals# 4 Exhibit 49 2004 Central Agreement Benefit Plans)(Torres, Joseph) (Entered: 02/29/2008)
253	MOTION for Leave to file a reply and exhibits under seal re 200 First MOTION for Preliminary Injunction on Behalf of the CLS Subclass by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum. (Attachments: # 1 Exhibit Attachment A - Reply Memorandum in Support of Plaintiffs' Motion for Preliminary Injunction)(Sheley, Karen) (Entered: 03/05/2008)

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RE #	Description of Pleading, Transcript, Complaint or Indictment or Other Filing. It is not necessary to list the Presentence Investigation Report or Sealed Documents, which counsel provides, pursuant to 6th Cir. R. 10 and 30.
254	DECLARATION of Michael M. Mulder in Support of Plaintiffs' Motion for Preliminary Injunction on Behalf of the CLS Subclass filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum re: 253 MOTION for Leave to file a reply and exhibits under seal re 200 First MOTION for Preliminary Injunction on Behalf of the CLS Subclass MOTION for Leave to file a reply and exhibits under seal re 200 First MOTION for Preliminary Injunction on Behalf of the CLS Subclass. (Attachments: # 1 Exhibit 1 - CLS Agreement# 2 Exhibit 2 - Winnett pension documents# 3 Exhibit 3 - Dailey pension documents# 4 Exhibit 4 - Jackson pension documents# 5 Exhibit 1988 SPD excerpts# 6 Exhibit Dailey deposition excerpts# 7 Exhibit 7 - Arbitration Opinion and Award# 8 Exhibit 8 - Order withdrawing Opinion and Award# 9 Exhibit 9 - Broadbear letter# 10 Exhibit 1988 Proposed modifications# 11 Exhibit 11 - Jackson-Chittum Declaration# 12 Exhibit 12 - Survivor insurance coverage form# 13 Exhibit 13 - Survivor insurance coverage form# 14 Exhibit 14 - Survivor insurance information card# 15 Exhibit 15 - Survivor insurance coverage form# 16 Exhibit 16 - Surviving spouse correspondence# 17 Exhibit 17 - Surviving spouse correspondence# 18 Exhibit 18 - Insurance after retirement form# 19 Exhibit 19 - Retiree correspondence# 20 Exhibit 20 - Caterpillar memo# 21 Exhibit 21 - Benefit Changes# 22 Exhibit 22 - New Pension Benefits# 23 Exhibit 23 - Improvements and Changes to 1976-1979 Contract# 24 Exhibit 24 - Benefit Changes# 25 Exhibit 25 - 2005 SPD# 26 Exhibit 26 - Caterpillar memo# 27 Exhibit 27 - August 2003 Local 751 Newsletter# 28 Exhibit 28 - June 2003 Local 751 Newsletter# 29 Exhibit 29 - VEBA trust correspondence# 30 Exhibit 30 - Hunter earnings statement# 31 Exhibit 31 - 2008 annual healthcare enrollment# 32 Exhibit 32 - Westlaw cases)(Sheley, Karen) (Entered: 03/05/2008)
255	DECLARATION of Christopher Romer in Support of Plaintiffs' Motion for Preliminary Injunction for the CLS Subclass filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum re: 253 MOTION for Leave to file a reply and exhibits under seal re 200 First MOTION for Preliminary Injunction on Behalf of the CLS Subclass MOTION for Leave to file a reply and exhibits under seal re 200 First MOTION for Preliminary Injunction on Behalf of the CLS Subclass. (Sheley, Karen) (Entered: 03/05/2008)
256	MOTION to Set Evidentiary Hearing on 200 First MOTION for Preliminary Injunction by Caterpillar, Inc.. (Torres, Joseph) Modified Text on 3/7/2008 (dt). (Entered: 03/06/2008)
258	ORDER granting 253 Motion for Leave to File Reply Memorandum In Support of Their Motion for Preliminary Injunction on behalf of the CLS Subclass and to File Certain Exhibits Under Seal. Signed by Judge Aleta A. Trauger on 3/6/08. (dt) (Entered: 03/06/2008)
259	Minute Entry for proceedings held before Judge Aleta A. Trauger: Preliminary Injunction Hearing held on 3/7/2008 re 205 MOTION for Hearing on 200 First MOTION for Preliminary Injunction filed by Caterpillar, Inc. Taken under advisement. (Court Reporter Cathy Leigh.) (dt) (Entered: 03/07/2008)
261	MOTION for Leave to File Supplemental Authority In Support of Their Motion For Preliminary Injunction by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum. (Attachments: # 1 Exhibit A - Order denying CNH America LLC's motion for summary judgment# 2 Exhibit B - Order granting plaintiffs' motion for summary judgment and denying EL Paso's motion for summary judgment)(Mulder, Michael) (Entered: 03/13/2008)
262	MEMORANDUM in Support of 261 MOTION for Leave to File Supplemental Authority In Support of Their Motion For Preliminary Injunction filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum. (Mulder, Michael) (Entered: 03/13/2008)
263	ORDER granting 261 Motion for Leave to File Supplemental Authority in support of their Motion for Preliminary Injunction. Signed by Judge Aleta A. Trauger on 3/14/08. (dt) (Entered: 03/14/2008)
264	MOTION for Leave to file additional supplemental authority in support of their 200 MOTION for Preliminary Injunction by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum. (Attachments: # 1 Exhibit A - Noe Case)(Sheley, Karen) Modified Text on 3/24/2008 (dt). (Entered: 03/21/2008)
265	MEMORANDUM in Support of 264 MOTION for Leave to file additional supplemental authority in support of their 200 MOTION for Preliminary Injunction filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum. (Sheley, Karen) Modified Text on 3/24/2008 (dt). (Entered: 03/21/2008)
266	ORDER granting 264 Motion for Leave to File Additional Supplemental Authority in Support of their Motion for preliminary Injunction. Signed by Judge Aleta A. Trauger on 3/24/08. (dt) (Entered: 03/24/2008)

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267	ORDER granting 256 motion to set evidentiary hearing on motion for preliminary injunction. The Court will schedule a telephone conference for purposes of scheduling the evidentiary hearing. Signed by District Judge Aleta A. Trauger on 4/2/08. (gi) (Entered: 04/02/2008)
272	ORDER: A 3-day Evidentiary Hearing on the issues outlined in the Order issued 4/2/08 267 will be held in this case on 7/8/2008 at 9:00 AM. Parties shall exchange the names and identifying information of witnesses and copies of exhibits to be introduced at the hearing by 6/13/08. Signed by District Judge Aleta A. Trauger on 4/9/08. (dt) (Entered: 04/09/2008)
289	Minute Entry for proceedings held before District Judge Aleta A. Trauger: Evidentiary Hearing held on 7/8/2008. (Court Reporter Becky Cole.) (dt) (Entered: 07/09/2008)
290	Minute Entry for proceedings held before District Judge Aleta A. Trauger: Evidentiary Hearing held on 7/9/2008. (Court Reporter Becky Cole.) (dt) (Entered: 07/10/2008)
291	Minute Entry for proceedings held before District Judge Aleta A. Trauger: Evidentiary Hearing held on 7/10/2008. Simultaneous opening briefs by 7/28/08. Responses by 8/6/08. (Court Reporter Becky Cole.) (dt) (Entered: 07/11/2008)
295	Exhibit List by Caterpillar, Inc. including Stipulations of the parties as to authenticity and admissibility. (dt) (Entered: 07/11/2008)
292	Witness List by Plaintiffs. (dt) (Entered: 07/11/2008)
293	Exhibit List by Plaintiffs(dt) (Entered: 07/11/2008)
294	Witness List by Caterpillar, Inc. (dt) (Entered: 07/11/2008)
296	WITNESS/EXHIBIT LIST prepared by Deputy Clerk re: 289 , 290 & 291 Evidentiary Hearing.(dt) (Entered: 07/11/2008)
297	Transcript filed for dates of 7/8/08 (Volume I) before Judge Trauger. Court Reporter/Transcriber: Becky Cole, Telephone number: 615-254-6727, E-Mail Address: becky_cole@tnmd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Intent to Request Transcript Redaction due 7/29/2008. Redaction Request due 8/5/2008. Redacted Transcript Deadline set for 8/15/2008. Release of Transcript Restriction set for 10/14/2008. (gi) (Entered: 07/18/2008)
298	Transcript filed for dates of 7/9/08 (Volume II) before Judge Aleta A. Trauger. Court Reporter/Transcriber: Becky Cole, Telephone number: 615-254-6727, E-Mail Address: becky_cole@tnmd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Intent to Request Transcript Redaction due 7/29/2008. Redaction Request due 8/5/2008. Redacted Transcript Deadline set for 8/15/2008. Release of Transcript Restriction set for 10/14/2008. (gi) (Entered: 07/18/2008)
299	Transcript filed for dates of 7/10/08 (Volume III) before Judge Aleta A. Trauger. Court Reporter/Transcriber: Becky Cole, Telephone number: 615-254-6727, E-Mail Address: becky_cole@tnmd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Intent to Request Transcript Redaction due 7/29/2008. Redaction Request due 8/5/2008. Redacted Transcript Deadline set for 8/15/2008. Release of Transcript Restriction set for 10/14/2008. (gi) (Entered: 07/18/2008)
300	POST-HEARING MEMORANDUM in Support of 200 First MOTION for Preliminary Injunction filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum. (Attachments: # 1 Exhibit Attachment A - Unpublished cases)(Mulder, Michael) Modified Text on 7/29/2008 (dt). (Entered: 07/28/2008)
301	POST-HEARING BRIEF filed by Caterpillar, Inc. in Opposition to 200 Motion for Preliminary Injunction. (Attachments: # 1 Exhibit 1 - McMillan v. LTV Steel Co., # 2 Exhibit 2 - Szoke v. United Parcel Serv. of Am., Inc., # 3 Exhibit 3 - Hall v. Tennessee)(Torres, Joseph) Modified Text on 7/29/2008 (dt). (Entered: 07/28/2008)
302	RESPONSE to Caterpillar's 301 Post-Hearing Memorandum filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum. (Mulder, Michael) Modified Text on 8/7/2008 (dt). (Entered: 08/06/2008)

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RE #	Description of Pleading, Transcript, Complaint or Indictment or Other Filing. It is not necessary to list the Presentence Investigation Report or Sealed Documents, which counsel provides, pursuant to 6th Cir. R. 10 and 30.
303	REPLY filed by Caterpillar, Inc. re 200 Motion for Preliminary Injunction filed by Freda Jackson-Chittum, Michael Joseph Finn, Casper R. Harris, Gary T. Winnett. (Attachments: # 1 Exhibit 1 - International Union, UAW Local 91 v. Park-Ohio Indus., Inc., # 2 Exhibit 2 - Wood v. Detroit Diesel Corp.)(Torres, Joseph) (Entered: 08/06/2008)
306	Memorandum Opinion Granting Injunction for CLS Subclass
307	Order Granting Injunction for CLS Subclass
340	ORDER: This matter is before the Court on remand from the United States Court of Appeals for the Sixth Circuit. By interlocutory appeal, Caterpillar, Inc. ("Caterpillar") challenged this court's denial of Caterpillar's motion to dismiss 74 by Order and accompanying Memorandum entered on 5/16/2007 120 and 121 . The Court reversed the judgment of this court and remanded the case with instructions to dismiss the plaintiffs' claims that depend exclusively on the theory that retiree medical benefits vested before retirement. (Id.) Accordingly, those claims are hereby DISMISSED. The court notes that Caterpillar's interlocutory appeal involved only those plaintiffs/workers who: (1) began working for Caterpillar before the 1988 Collective Labor Agreement expired; and (2) were pension and retirement eligible prior to 1/1/1992; and(3) who retired on or after 1/1/1992 but before 3/16/1998. As the Sixth Circuit recognized, "some of the subclasses, including those workers under the separate Caterpillar Logistics Services Agreement, or surviving spouses may have claims that are based on separate contractual provisions and distinct facts not before us in this appeal." (Docket No. 330 at 17). Those plaintiffs' claims are unaffected by this Order. Signed by District Judge Aleta A. Trauger on 6/9/09. (dt) Modified Text on 6/10/2009 (dt). (Entered: 06/09/2009)
398	MOTION for Summary Judgment by International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, UAW Local Union No. 1086, UAW Local Union No. 1415, UAW Local Union No. 145, UAW Local Union No. 2096, UAW Local Union No. 751, UAW Local Union No. 786, UAW Local Union No. 974. (Clash-Drexler, Matthew) (Entered: 12/22/2009)
399	DECLARATION of Joshua B. Shiffrin filed by International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, UAW Local Union No. 1086 re: 398 MOTION for Summary Judgment. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N, # 15 Exhibit O, # 16 Exhibit P, # 17 Exhibit Q, Part 1, # 18 Exhibit Q, Part 2, # 19 Exhibit R, # 20 Exhibit S, # 21 Exhibit T, # 22 Exhibit U, # 23 Exhibit V, # 24 Exhibit W, # 25 Exhibit X, # 26 Exhibit Y, # 27 Exhibit Z, # 28 Exhibit AA, # 29 Exhibit BB, # 30 Exhibit CC, # 31 Exhibit DD, # 32 Exhibit EE)(Clash-Drexler, Matthew) (Entered: 12/22/2009)
400	DECLARATION of James Richard Atwood filed by International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, UAW Local Union No. 1086 re: 398 MOTION for Summary Judgment. (Attachments: # 1 Exhibit a, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, Part 1, # 14 Exhibit M, part 2, # 15 Exhibit M, Part 3, # 16 Exhibit N, Part 1, # 17 Exhibit N, Part 2)(Clash-Drexler, Matthew) (Entered: 12/22/2009)
401	MOTION for Leave to File Document Under Seal by International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, UAW Local Union No. 1086. (Clash-Drexler, Matthew) (Entered: 12/22/2009)
402	Sealed Document Memorandum in Support of Motion for Summary Judgment filed by International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, UAW Local Union No. 1086. (Clash-Drexler, Matthew) (Entered: 12/22/2009)
403	Sealed Document Statement of Undisputed Material Fact filed by International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, UAW Local Union No. 1086. (Clash-Drexler, Matthew) (Entered: 12/22/2009)
404	MOTION for Summary Judgment by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum. (Mulder, Michael) (Entered: 12/22/2009)
405	MEMORANDUM in Support of 404 MOTION for Summary Judgment filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum. (Mulder, Michael) (Entered: 12/22/2009)

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RE #	Description of Pleading, Transcript, Complaint or Indictment or Other Filing. It is not necessary to list the Presentence Investigation Report or Sealed Documents, which counsel provides, pursuant to 6th Cir. R. 10 and 30.
406	STATEMENT of facts filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum in support of 404 Motion for Summary Judgment. (Mulder, Michael) (Entered: 12/22/2009)
407	DECLARATION of Hina Sodha filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum re: 404 MOTION for Summary Judgment. (Attachments: # 1 Exhibit 1 - 1992 Plan (1 of 2), # 2 Exhibit 1 - 1992 Plan (2 of 2), # 3 Exhibit 2 - Stevens (7/11/07) excerpts, # 4 Exhibit 3 - Correspondence from Caterpillar, # 5 Exhibit 4 - Jackson-Chittum excerpts, # 6 Exhibit 5 - Alig Dep Ex. 2, # 7 Exhibit 6 - Folley Dep. Ex. 1, # 8 Exhibit 7 - Folley Dep. Ex. 2, # 9 Exhibit 8 - Folley Dep. Ex. 3, # 10 Exhibit 9 - Folley excerpts, # 11 Exhibit 10 - Glynn excerpts)(Mulder, Michael) (Entered: 12/22/2009)
408	Additional Attachments to Main Document re: 407 Declaration,, (Attachments: # 1 Exhibit 11 - 2004 GIP excerpts, # 2 Exhibit 12 - Alig Dep. Ex. 1, # 3 Exhibit 13 - Alig excerpts, # 4 Exhibit 14 - Finn Complaint, # 5 Exhibit 15 - 1979 GIP excerpts, # 6 Exhibit 16 - Mgmt. Announcement of cap, # 7 Exhibit 17 - Benefit Changes Notices, # 8 Exhibit 18 - Stevens (6/18/09) excerpts, # 9 Exhibit 19 - Atwood (7/30/09) excerpts, # 10 Exhibit 20 - Unpublished cases, # 11 Exhibit Group Ex. 1 - Survivor letters)(Mulder, Michael) (Entered: 12/22/2009)
409	DECLARATION of Christopher Romer filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum re: 404 MOTION for Summary Judgment. (Attachments: # 1 Exhibit A - CLS Retirees, # 2 Errata B - Pre-December 1, 1992 Retirees, # 3 Exhibit C - Pre-April, 1992 Class members, # 4 Exhibit D - Surviving spouses, # 5 Exhibit E - UAW Retirees between 11/1/91 and 12/31/91, # 6 Exhibit F - Defendant's response to requests to admit)(Mulder, Michael) (Entered: 12/22/2009)
410	MOTION for Summary Judgment by Caterpillar, Inc.. (Torres, Joseph) (Entered: 12/22/2009)
411	DECLARATION of DEREK G. BARELLA filed by Caterpillar, Inc. re: 410 MOTION for Summary Judgment. (Attachments: # 1 Exhibit 1. Excerpts from the Deposition of James Atwood, dated July 30, 2009, # 2 Exhibit 2. Excerpts from the Deposition of Marion Boren, dated February 14, 2008, # 3 Exhibit 3. Excerpts from the Deposition of Albert Church, dated January 31, 2008 and selected exhibits, # 4 Exhibit 4. Excerpts from the Deposition of Christopher Glynn, dated June 17, 2009, # 5 Exhibit 5. Excerpts from the Deposition of Danny Miller, dated February 13, 2008, # 6 Exhibit 6. Excerpts from the Deposition of Wayne Schmidt, dated February 14, 2008, # 7 Exhibit 7. Excerpts from the Deposition of William Scott, dated February 13, 2008, # 8 Exhibit 8. Excerpts from the Deposition of Cal Rapson, dated July 29, 2009)(Torres, Joseph) (Entered: 12/22/2009)
412	DECLARATION of DAVID W. STEVENS filed by Caterpillar, Inc. re: 410 MOTION for Summary Judgment. (Attachments: # 1 Exhibit 1. True and correct copies of letters and NetWork booklets, # 2 Exhibit 2. True and correct copies of Summaries of Benefits Changes)(Torres, Joseph) (Entered: 12/22/2009)
413	MEMORANDUM in Support of 410 MOTION for Summary Judgment filed by Caterpillar, Inc.. (Torres, Joseph) (Entered: 12/22/2009)
414	STATEMENT of facts filed by Caterpillar, Inc. in support of 410 Motion for Summary Judgment. (Torres, Joseph) (Entered: 12/22/2009)
415	DECLARATION of Christopher Romer filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum re: 404 MOTION for Summary Judgment. (Attachments: # 1 Exhibit A - CLS Retirees, # 2 Exhibit B - Pre-December 1, 1992 Retirees, # 3 Exhibit C - Pre-April, 1992 Class Members, # 4 Exhibit D - Surviving Spouses, # 5 Exhibit E - UAW Retirees Between 11.1.91 and 12.31.91, # 6 Exhibit F - Defendant's Response to Requests to Admit)(Mulder, Michael) (Entered: 12/23/2009)
416	ORDER granting 401 Motion for Leave to File Document Under Seal. Signed by District Judge Aleta A. Trauger on 12/23/09. (dt) (Entered: 12/23/2009)
417	DECLARATION of David W. Stevens filed by Caterpillar, Inc. re: 410 MOTION for Summary Judgment. (Attachments: # 1 Exhibit 1 - Letters and NetWork Booklets, # 2 Exhibit 2 - Summaries of Benefit Changes)(Torres, Joseph) (Entered: 12/24/2009)

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RE #	Description of Pleading, Transcript, Complaint or Indictment or Other Filing. It is not necessary to list the Presentence Investigation Report or Sealed Documents, which counsel provides, pursuant to 6th Cir. R. 10 and 30.
418	DECLARATION of Hina Sodha filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum re: 404 MOTION for Summary Judgment. (Attachments: # 1 Exhibit 1 - 1992 Plan (1 of 2), # 2 Exhibit 1 - 1992 Plan (2 of 2), # 3 Exhibit 2 - Stevens (7/11/07) excerpts, # 4 Exhibit 3 - Correspondence from Caterpillar, # 5 Exhibit 4 - Jackson-Chittum excerpts, # 6 Exhibit 5 - Alig Dep. Ex. 2, # 7 Exhibit 6 - Folley Dep. Ex. 1, # 8 Exhibit 7 - Folley Dep. Ex. 2, # 9 Exhibit 8 - Folley Dep. Ex. 3, # 10 Exhibit 9 - Folley excerpts, # 11 Exhibit 10 - Glynn excerpts)(Mulder, Michael) (Entered: 12/24/2009)
419	Additional Attachments to Main Document re: 418 Declaration,,. (Attachments: # 1 Exhibit 11 - 2004 GIP excerpts, # 2 Exhibit 12 - Alig Dep. Ex. 1, # 3 Exhibit 13 - Alig excerpts, # 4 Exhibit 14 - Finn Complaint, # 5 Exhibit 15 - 1979 GIP excerpts, # 6 Exhibit 16 - Mgmt. Announcement of cap, # 7 Exhibit 17 - Benefit Changes Notices, # 8 Exhibit 18 - Stevens (6/18/09) excerpts, # 9 Exhibit 19 - Atwood (7/30/09) excerpts, # 10 Exhibit 20 - Unpublished cases, # 11 Exhibit Group Ex. 1 - Survivor letters)(Mulder, Michael) (Entered: 12/24/2009)
420	REPLY to Response to Motion re 364 MOTION to Sever Third-Party Claims and Contingent Counterclaims for Separate Trial filed by International Union, United Automobile, Aerospace and Agricultral Implement Workers of America, UAW Local Union No. 1086. (Clash-Drexler, Matthew) (Entered: 12/24/2009)
421	DECLARATION of Joshua B. Shiffrin filed by International Union, United Automobile, Aerospace and Agricultral Implement Workers of America, UAW Local Union No. 1086 re: 399 Declaration,,, 398 MOTION for Summary Judgment. (Clash-Drexler, Matthew) (Entered: 12/28/2009)
422	DECLARATION of DEREK G. BARELLA filed by Caterpillar, Inc. re: 410 MOTION for Summary Judgment. (Attachments: # 1 Exhibit 1 - Excerpts from the Deposition of James Atwood, dated July 30, 2009, # 2 Exhibit 2 - Excerpts from the Deposition of Marion Boren, dated February 14, 2008, # 3 Exhibit 3 - Excerpts from the Deposition of Albert Church, dated January 31, 2008 and selected exhibits, # 4 Exhibit 4 - Excerpts from the Deposition of Christopher Glynn, dated June 17, 2009, # 5 Exhibit 5 - Excerpts from the Deposition of Danny Miller, dated February 13, 2008, # 6 Exhibit 6 - Excerpts from the Deposition of Wayne Schmidt, dated February 14, 2008, # 7 Exhibit 7 - Excerpts from the Deposition of William Scott, dated February 13, 2008, # 8 Exhibit 8 - Excerpts from the Deposition of Cal Rapson, dated July 29, 2009)(Torres, Joseph) (Entered: 12/28/2009)
423	CERTIFICATE OF SERVICE by Caterpillar, Inc. re 422 Declaration (Torres, Joseph) (Entered: 12/30/2009)
431	STATEMENT of facts PLAINTIFFS' RESPONSE TO DEFENDANT'S STATEMENT OF FACTS filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum in support of 414 Statement of facts. (Mulder, Michael) (Entered: 02/05/2010)
432	STATEMENT of facts PLAINTIFFS' STATEMENT OF ADDITIONAL MATERIAL DISPUTED FACTS IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum in support of 404 Motion for Summary Judgment. (Mulder, Michael) (Entered: 02/05/2010)
433	DECLARATION of MICHAEL MULDER filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum re: 404 MOTION for Summary Judgment. (Mulder, Michael) (Entered: 02/05/2010)
434	DECLARATION of Hina Sodha filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum re: 404 MOTION for Summary Judgment. (Attachments: # 1 Exhibit PRSJ 1 - UAWINTL009950-51, # 2 Exhibit PRSJ 2 - P01119, # 3 Exhibit PRSJ Ex. 3 - 332 NLRB No. 101, # 4 Exhibit PRSJ Ex. 4 - 157 LRRM 2712, # 5 Exhibit PRSJ Ex. 5 - Stevens 2007 dep excerpts, # 6 Exhibit PRSJ Ex. 6 - Stevens 2009 dep excerpts, # 7 Exhibit PRSJ Ex. 7 - Brust dep excerpts, # 8 Exhibit PRSJ Ex. 8 - Glynn dep excerpts, # 9 Exhibit PRSJ Ex. 9 - Atwood dep excerpts, # 10 Exhibit PRSJ 10 - Folley dep excerpts, # 11 Exhibit PRSJ 11 - Rapson dep excerpts, # 12 Exhibit PRSJ 12 - Unpublished cases)(Mulder, Michael) (Entered: 02/05/2010)
435	RESPONSE filed by Caterpillar, Inc. re 403 Sealed Document filed by International Union, United Automobile, Aerospace and Agricultral Implement Workers of America, UAW Local Union No. 1086. (Torres, Joseph) (Entered: 02/05/2010)
436	RESPONSE filed by Caterpillar, Inc. re 406 Statement of facts filed by Freda Jackson-Chittum, Michael Joseph Finn, Casper R. Harris, Gary T. Winnett. (Torres, Joseph) (Entered: 02/05/2010)

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RE #	Description of Pleading, Transcript, Complaint or Indictment or Other Filing. It is not necessary to list the Presentence Investigation Report or Sealed Documents, which counsel provides, pursuant to 6th Cir. R. 10 and 30.
437	RESPONSE in Opposition re 398 MOTION for Summary Judgment filed by Caterpillar, Inc.. (Torres, Joseph) (Entered: 02/05/2010)
438	STATEMENT of facts filed by Caterpillar, Inc. in support of 437 Response in Opposition to Motion, 410 Motion for Summary Judgment. (Torres, Joseph) (Entered: 02/05/2010)
439	RESPONSE in Opposition re 404 MOTION for Summary Judgment filed by Caterpillar, Inc.. (Torres, Joseph) (Entered: 02/05/2010)
440	DECLARATION of Jerry L. Brust filed by Caterpillar, Inc.. (Attachments: # 1 Exhibit 1 - True and correct copy of the Caterpillar-UAW September 28, 1991 Extension Agreement, # 2 Exhibit 2 - True and correct copy of UAW's October 29, 1991 cancellation of the Extension Agreement)(Torres, Joseph) (Entered: 02/05/2010)
441	DECLARATION of Derek G. Barella filed by Caterpillar, Inc.. (Attachments: # 1 Exhibit 1 - Excerpts from the Deposition of James Atwood, dated July 30, 2009, # 2 Exhibit 2 - Excerpts from the Deposition of UAW Rule 30(b)(6), dated September 16, 2009 and selected exhibits, # 3 Exhibit 3 - Excerpts from the Deposition of Janis Bair, dated October 8, 2009 and selected exhibits, # 4 Exhibit 4 - Excerpts from the Deposition of Jerry Brust, dated June 16, 2009, # 5 Exhibit 5 - Excerpts from the Deposition of Michael Finn, dated March 2, 2007 and selected exhibits, # 6 Exhibit 6 - Excerpts from the Deposition of Greg Folley, dated September 24, 2009, # 7 Exhibit 7 - Excerpts from the Deposition of Cal Rapson, dated July 29, 2009 and selected exhibits)(Torres, Joseph) (Entered: 02/05/2010)
443	RESPONSE in Opposition to 410 MOTION for Summary Judgment filed by plaintiffs.(dt) (Entered: 02/08/2010)
447	REPLY to Response to Motion re 404 MOTION for Summary Judgment filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum. (Mulder, Michael) (Entered: 02/26/2010)
448	RESPONSE to 438 STATEMENT of Additional Material Facts < filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum. (Mulder, Michael) Modified Text on 3/1/2010 (dt). (Entered: 02/26/2010)
449	DECLARATION of Hina Sodha filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum re: 447 Reply to Response to Motion. (Attachments: # 1 Exhibit PRRSJ 1 - Folley Dep Excerpts, # 2 Exhibit PRRSJ 2 - Brust Dep Excerpts, # 3 Exhibit PRRSJ 3 - Unpublished Cases)(Mulder, Michael) (Entered: 02/26/2010)
451	REPLY to Response to Motion re 410 MOTION for Summary Judgment filed by Caterpillar, Inc.. (Torres, Joseph) (Entered: 02/26/2010)
452	Sealed Document REPLY MEMORANDUM OF LAW IN SUPPORT OF THIRD-PARTY DEFENDANTS MOTION FOR SUMMARY JUDGMENT filed by International Union, United Automobile, Aerospace and Agricultral Implement Workers of America, UAW Local Union No. 1086. (Clash-Drexler, Matthew) (Entered: 02/26/2010)
453	Sealed Document THIRD-PARTY DEFENDANTS RESPONSE TO CATERPILLARS LOCAL RULE 56.01 STATEMENT OF ADDITIONAL MATERIAL FACTS filed by International Union, United Automobile, Aerospace and Agricultral Implement Workers of America, UAW Local Union No. 1086. (Clash-Drexler, Matthew) (Entered: 02/26/2010)
454	RESPONSE filed by Caterpillar, Inc. re 432 Statement of facts filed by Freda Jackson-Chittum, Michael Joseph Finn, Casper R. Harris, Gary T. Winnett. (Torres, Joseph) (Entered: 02/26/2010)
455	DECLARATION of Roger J. McClow filed by International Union, United Automobile, Aerospace and Agricultral Implement Workers of America, UAW Local Union No. 1086 re: 452 Sealed Document,. (Clash-Drexler, Matthew) (Entered: 03/01/2010)
456	DECLARATION of Mathew Clash-Drexler filed by International Union, United Automobile, Aerospace and Agricultral Implement Workers of America, UAW Local Union No. 1086 re: 452 Sealed Document,. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Clash-Drexler, Matthew) (Entered: 03/01/2010)
458	MOTION TO RE-OPEN DISCOVERY FOR THE LIMITED PURPOSE OF DEPOSING ROGER J. McCLOW , OR IN THE ALTERNATIVE, MOTION to Strike THE DECLARATION OF ROGER J. McCLOW by Caterpillar, Inc.. (Torres, Joseph) (Entered: 03/18/2010)
459	MEMORANDUM in Support of 458 MOTION TO RE-OPEN DISCOVERY FOR THE LIMITED PURPOSE OF DEPOSING ROGER J. McCLOW , OR IN THE ALTERNATIVE MOTION to Strike THE DECLARATION OF ROGER J. McCLOW filed by Caterpillar, Inc.. (Torres, Joseph) (Entered: 03/18/2010)

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Case Name: Winnett, et al. v. Caterpillar, Inc.

RE #	Description of Pleading, Transcript, Complaint or Indictment or Other Filing. It is not necessary to list the Presentence Investigation Report or Sealed Documents, which counsel provides, pursuant to 6th Cir. R. 10 and 30.
460	DECLARATION of Derek G. Barella filed by Caterpillar, Inc. re: 458 MOTION TO RE-OPEN DISCOVERY FOR THE LIMITED PURPOSE OF DEPOSING ROGER J. McCLOW , OR IN THE ALTERNATIVE MOTION to Strike THE DECLARATION OF ROGER J. McCLOW. (Attachments: # 1 Exhibit 1 - True and correct copy of the letter Defendant's counsel received from Plaintiffs' Counsel, Michael M. Mulder, on June 4, 2009, # 2 Exhibit 2 - True and correct copies of excerpts from the depositions of, respectively, James Richard Atwood (identified as Richard Atwood in his 7/30/09 deposition), Calvin Rapson, and David Chapman)(Torres, Joseph) (Entered: 03/18/2010)
461	RESPONSE in Opposition re 458 MOTION TO RE-OPEN DISCOVERY FOR THE LIMITED PURPOSE OF DEPOSING ROGER J. McCLOW , OR IN THE ALTERNATIVE MOTION to Strike THE DECLARATION OF ROGER J. McCLOW filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum. (Mulder, Michael) (Entered: 03/25/2010)
462	DECLARATION of Hina Sodha filed by Casper R. Harris, Michael Joseph Finn, Gary T. Winnett, Freda Jackson-Chittum re: 461 Response in Opposition to Motion,. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4)(Mulder, Michael) (Entered: 03/25/2010)
463	MEMORANDUM. Signed by District Judge Aleta A. Trauger on 3/26/10. (dt) (Entered: 03/26/2010)
464	ORDER: For the reasons expressed in the accompanying Memorandum, the Motion for Summary filed by the third-party defendant, the International Union, UAW, 398 is Granted and Caterpillar's Motion to Re-Open Discovery for the Limited Purpose of Deposing Roger J. McClow, or in the Alternative, to Strike the Declaration of Roger J. McClow 458 is Denied. Caterpillar's Third-Party Complaint against the UAW in these cases is DISMISSED. The Motions for Summary Judgment filed by the Winnett 404 and by Caterpillar 410 are GRANTED IN PART AND DENIED IN PART as described in the attached Memorandum. In Winnett, Caterpillar remains enjoined from deducting premium charges for the CLS subclass' retiree healthcare coverage but, going forward, Caterpillar is no longer enjoined from charging the other "specific charges" mentioned in the court's 9/16/2008 Order. As the liability issues that would have been the subject of the June 2010 and August 2010 trials set in these cases have been resolved, those trial settings will be removed from the calendar. The parties have indicated that additional discovery into damages will be necessary. Signed by District Judge Aleta A. Trauger on 3/26/10. (dt) (Entered: 03/26/2010)
470	USCA JUDGMENT as to 310 Notice of Appeal filed by Caterpillar, Inc.: It is ORDERED that the district court's preliminary injunction against defendant Caterpillar, Inc. is REVERSED and the case is REMANDED for further proceedings consistent with the opinion of this court. (Mandate to issue) (Attachments: # 1 Cover Letter)(ab) (Entered: 06/22/2010)
471	MANDATE of USCA as to 310 Notice of Appeal filed by Caterpillar, Inc. (Attachments: # 1 Cover Letter)(ab) (Entered: 07/15/2010)
475	MOTION for Reconsideration of 464 Order on Motion for Summary Judgment and 463 Memorandum by Caterpillar, Inc.. (Torres, Joseph) Modified Text on 10/19/2010 (dt). (Entered: 10/18/2010)
476	MEMORANDUM in Support of 475 MOTION for Reconsideration of 464 Order on Motion for Summary Judgment and 463 Memorandum filed by Caterpillar, Inc.. (Torres, Joseph) Modified Text on 10/19/2010 (dt). (Entered: 10/18/2010)
480	ORDER granting 478 Motion for Leave to File Corrected Memorandum in support of Motion for Reconsideration of Court's Summary Judgment Ruling. Signed by District Judge Aleta A. Trauger on 10/21/10. (dt) (Entered: 10/21/2010)
481	MEMORANDUM of Law in Support of 475 MOTION for Reconsideration of 464 Order on Motion for Summary Judgment filed by Caterpillar, Inc. (dt) (Entered: 10/21/2010)
487	DECLARATION of Michael Mulder filed by Michael Joseph Finn, Casper R. Harris, Freda Jackson-Chittum, Gary T. Winnett re: 485 MOTION for Leave to File Excess Pages In Response to Defendant's Motion for Reconsideration. (Attachments: # 1 Exhibit 1 - Preliminary Injunction Hearing Excerpt, # 2 Exhibit 2 - David Stevens 7/11/07 deposition excerpt)(Mulder, Michael) (Entered: 12/13/2010)

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Case Name: Winnett, et al. v. Caterpillar, Inc.

RE #	Description of Pleading, Transcript, Complaint or Indictment or Other Filing. It is not necessary to list the Presentence Investigation Report or Sealed Documents, which counsel provides, pursuant to 6th Cir. R. 10 and 30.
488	DECLARATION of Christopher Romer filed by Michael Joseph Finn, Casper R. Harris, Freda Jackson-Chittum, Gary T. Winnett re: 485 MOTION for Leave to File Excess Pages In Response to Defendant's Motion for Reconsideration. (Mulder, Michael) (Entered: 12/13/2010)
490	RESPONSE to 475 MOTION for Reconsideration of 464 Order on Motion for Summary Judgment and 463 Memorandum filed by plaintiffs. (dt) (Entered: 12/14/2010)
493	REPLY MEMORANDUM to Response to 475 MOTION for Reconsideration filed by Caterpillar, Inc.. (dt) (Entered: 01/05/2011)
535	MEMORANDUM. An appropriate order will enter. Signed by District Judge Aleta A. Trauger on 6/24/11. (tmw) (Entered: 06/24/2011)
536	ORDER: For the reasons expressed in the accompanying Memorandum, Caterpillar's Motion for Restitution in Winnett (Docket No. 517) is DENIED. Caterpillar's Motion for Certification in Winnett (Docket No. 519) is DENIED AS MOOT. As a housekeeping matter, the motion pending as Winnett Docket No. 506 is TERMED, as the issues in that motion have been long settled by the parties. Winnett is DISMISSED, and entry of this order shall constitute the judgment in that case. In Kerns, Caterpillar's Motion for Certification (Docket No. 314) is DENIED, and, as a housekeeping matter, the motion pending as Kerns Docket No. 297 is TERMED, as, likewise, the issues in that motion have been settled by the parties. It is so ordered. Signed by District Judge Aleta A. Trauger on 6/24/11. (tmw) (Entered: 06/24/2011)
N/A	THE FOLLOWING DEFENDANT'S EXHIBITS ADMITTED AT JULY 8-10, 2008 EVIDENTIARY HEARING: 5, 9, 23-28, 32-33, 36, 37, 40, 42-47, 58-60, 64-65
N/A	THE FOLLOWING PLAINTIFFS' EXHIBITS ADMITTED AT JULY 8-10, 2008 EVIDENTIARY HEARING: 1-8, 13-19, 22, 24-31, 33, 36-41, 46-48, 50, 57, 59-60, 62-67, 71-74, 76-79, 81-83, 92, 95, 97-98, 100-101, 103-107, 109-110, 116, 124-125, 132-135